

**DECLARATION FOR PATENT APPLICATION, POWER OF
ATTORNEY & DESIGNATION OF CORRESPONDENCE ADDRESS**

As below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ADJUSTABLE DYNAMIC RANGE OPTIMIZATION FOR ANALOG TO DIGITAL
RESOLUTION FOR INTELLIGENT FIBER OPTIC RECEIVERS AND METHOD**

the specification of which (check one)

☒ is attached hereto.

_____ was filed on _____ as Application Serial No. _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to the patentability of this application in accordance with 37 CFR §1.56(a).

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR
DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35
U.S.C. § 119(a)-(d)**

I hereby claim foreign priority benefits under 35 USC § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Day/Month/Year Filed	Yes	No

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code, § 119 (e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date

**CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S)
UNDER 35 U.S.C. § 120**

I hereby claim the benefits under 35 USC § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC § 112, I acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Appl. No.	Filing Date	Patented, Pending, Abandoned

Power of Attorney: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Erik O. Berger, Reg. No. 42,315; Stanton C. Braden, Reg. No. 32,556; Marie-Claire B. Maple, Reg. No. 37,588; Patrick G. Billig, Reg. No. 38,080; Michael R. Binzak, Reg. No. 38,081; Timothy A. Czaja, Reg. No. 39,649; Steven E. Dicke, Reg. No. 38,431; Darla P. Fonseca, Reg. No. 31,783; Paul S. Grunzweig, Reg. No. 37,143; William M. Hienz III, Reg. No. 37,069; Jeff A. Holmen, Reg. No. 38,492; Paul P. Kempf, Reg. No. 39,727; Christopher P. Kosh, Reg. No. 42,760; Scott A. Lund, Reg. No. 41,166; Matthew B. McNutt, Reg. No. 39,766; Mark A. Peterson, Reg. No. 50,485; and Kevin R. Swanson, Reg. No. 37,948.

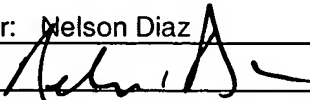
Send correspondence to:

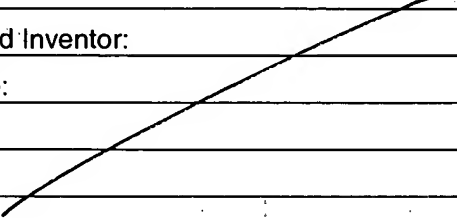
Dicke, Billig & Czaja, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402

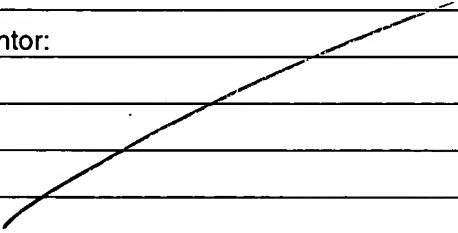
Direct telephone calls to:

Paul P. Kempf (612) 767-2502

I hereby declare that all statements made herein on my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 USC §1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of First Inventor: Nelson Diaz	
Inventor's Signature: 	Date: 1/27/04
Residence: 11353 Grove Street, Westminster, Colorado 80031	
Citizenship: United States of America	
Mailing Address: Same as above	

Full Name of Second Inventor:	
Inventor's Signature: 	Date:
Residence:	
Citizenship:	
Mailing Address:	

Full Name of Third Inventor:	
Inventor's Signature: 	Date:
Residence:	
Citizenship:	
Mailing Address:	